

Dominican Republic

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Freedom of the Press

The 2010 constitution guarantees freedom of expression and access to public information, but some laws and government actions undermine these rights in practice. Criminal defamation, which is punishable by fines or jail time, remained the largest issue concerning press freedom in the Dominican Republic in 2013. According to a February report by the International Press Institute, the Dominican Republic has some of the most extensive defamation laws in the Caribbean. Conviction for defamation or insult of the head of state can result in penalties of up to one year in prison and the loss of basic rights such as voting or standing in elections. Liability for defamation is shared at various levels: newspaper editors hold the largest liability, followed by journalists, printers, and then vendors and distributors. Newspaper owners must assume the financial damages against editors and journalists.

In February, the editors in chief of the country's three largest newspapers—Miguel Franjul of *Listín Diario*, Rafael Molina Morilla of *El Día*, and Osvaldo Santana of *El Caribe*—brought a motion before the country's Constitutional Tribunal arguing that the defamation laws effectively resulted in self-censorship in the media. In response, the president of the Justice Commission of the Chamber of Deputies, Demóstenes Martínez, announced in March that the Penal Code reform currently under review in the legislature would replace prison sentences for defamation with fines. However, by year's end, the Penal Code reform had not been passed, and the Constitutional Tribunal had not ruled on the constitutionality of defamation laws.

In February, the Appeals Court for the National District (Santo Domingo) ordered a retrial in the case of journalist Milton Pineda, who was found guilty of defamation in September 2012 and sentenced to three months in prison. Pineda and his accuser, journalist Marino Zapete, eventually reached an agreement in November. In October, Senator Félix Bautista sued journalist Juan Taveras Hernández of radio station Z-101, station owner Bienvenido Rodríguez, and manager Willy Rodríguez for \$1.16 million, claiming multiple attacks by the station against his honor, dignity, and personal integrity. Similarly, in November legislator Alfredo Martínez sued journalist Julio Benzant of Ciudadoriental.org and the site's editor, Robert Vargas, for \$230,000 for "systematic attacks" on his character.

The Dominican Republic is one of seven countries in the Caribbean region to have a Freedom of Information law, although several nations had draft laws pending.

Attacks and intimidation against the press by both state and private actors continued to be problems in 2013, especially for reporters investigating corruption. Members of the media experienced episodic police brutality, arbitrary detentions and inspections, equipment confiscations, threats, and verbal and physical harassment in both urban and provincial areas. However, violence was less frequent than in previous years, and no journalists were murdered. In April, a police colonel in northeast María Trinidad Sánchez province held journalist Marcelo Contreras at gunpoint and unlawfully imprisoned him for several hours, allegedly in retaliation for reporting on a violent eviction by police officers. In May, police officers beat and seized the camera of a journalist from Noticias SIN television who was covering another forced eviction. In August, police beat another cameraman from Noticias SIN who was covering a trial in Santo Domingo. In June, a group of journalists alleged that Fausto Rosario Adames, editor in chief of online newspaper *Acento*, was the subject of a murder plot. Also, journalists Luis Eduardo Lora of *Teleantillas* and Juan Bolívar Díaz of *Telesistema* became targets of a hate campaign by a nationalist group after both expressed their objection to an October Constitutional Court ruling withdrawing the citizenship rights of

Dominicans of Haitian descent. Impunity for violence against journalists also remained an issue: in November, one of the men charged with the 2011 kidnapping and murder of journalist José Agustín Silvestre was released on bail without official explanation.

The Dominican Republic has five daily newspapers, more than 300 radio stations, and over 40 terrestrial and cable television stations. Ownership of many of these stations and the country's newspapers is concentrated in the hands of a few powerful individuals and companies, leading to self-censorship by journalists to avoid damaging the owners' political or business interests. There are two state-owned television stations and one state-owned radio station. Community radio and television stations, as well as websites, are becoming increasingly active. Approximately 46 percent of the population accessed the internet during 2013, with no reports of online censorship. Several online news sources produce content in English and Spanish, and the use of social-networking websites is increasing rapidly.

2014 Scores

Press Status

Partly Free

Press Freedom Score

(0 = best, 100 = worst)

41

Legal Environment

(0 = best, 30 = worst)

8

Political Environment

(0 = best, 40 = worst)

20

Economic Environment

(0 = best, 30 = worst)

13